# TERESA IS

RAISED SPANISH CRUISER GOES DOWN IN A FURIOUS GALE.

#### REJOINS THE SPANISH FLEET

ABANDONED WHILE COMING NORTH TO BE DOCKED.

No Lives Were Lost-Thrilling Story of Lieutenant Commander Harris-Navy Department Will Now Try to Raise the Colon.

CHARLESTON, S. C., Nov. 5-The ocean tug Merritt put into Charleston this morning for supplies. She reported the loss of the cruiser Maria Teresa, taised by Constructor Hobson recently, off San Salvador, Bahamas, November 1, in the miest of a furious storm.

The cruiser left Calmarena, Cuba, on the morning of October 20, in tow for New York. She had already passed Cane Maysi and started northeast around the Dahumas. A furious storm, warning of which had already been sent out, overtook her and in her condition she was unable to weather the gale. The strain opened rents in her hult, which had been patched to erable her to make the journey, and she began to fill rapidly. The Merritt took off Captain Harris and the crew from the sinking ship and she soon went down. The Merriti brought the captain and 1% men. who will proceed north by rail. No lives were lest.

Parts of the hull thought to be safe weakened, the rivets broke and the water made rapidly in the hold. The boilers began to give way and finally the water extinguished the fires in the engine room. The pumps would not work. The whole vessel showed signs of a collapse and the men stood stripped, awaiting orders to ouit the ship.

The Vulcan was towing the Teresa, while the Merritt rescued 114 of the crew, made up of volunteers from the Cincinnati, Newark and Vulcan. The ropes were then cut and she then rapidly filled. The Vulcan and Leonidas deserted the Merritt, which put into Charleston with the rescued.

As near as can be calculated the Maria Teresa lies in about 2,600 fathoms of water, or nearly three miles. The location is 24 degrees north latitude by 74-30 west longitude, about 235 miles distant from Nassau. At the time the Teresa sunk, she was about 310 miles distant from Caimanera, the port from which she started a little over two

days before. WASHINGTON, Nov. 5.-A thrilling story of the loss of the cruiser Maria Teresa is given in the official report of Lieutenant Commander Harris to the secretary of the navy received by telegraph at the navy department late this afternoon. It is dated on board the wrecking steamer Merritt, fifty miles off Chaleston, November 4, and says:

"Secretary of the Navy, Washington Sir:-I have the honor to make the foilowing report of the loss of the infanta

Teresa: "On November 1, at 1 a, m, I found that it was blowing hard and went on the lower bridge. We had left Watlings island light the weather was pleasant and went well with the ship, although we had trouble in with the ship, although we had trouble in keeping the pump in the forward directors.

F. Brien, chief machinists, to oil the steerfrom being choked with coal. The wind conto increase in force until perhaps 2 a. m., when it reached its height, although there were times all day when it blew as hard as ever. The direction was about The sea continued to rise until perhaps 6 p. m. There was a heavy sea all the following day. The pumps were reported every hour. Soon after I came on deck I relieved the second mate, Mr. Johnson, so that he could go below to fight the water. About 3:30 the first mate, Captain Lecato, came up, and he also went below to work. Cantain Chittenden, who was on deck almost as soon as I, gave his attention to the pumps and especially to priming the centrifugal pump in the forward fireroom.

"There were many new leaks When heavy sea struck the sides the plates leaked at the butts and seams, showing that after the fire they had resumed their former appearance, but were not tight. There was at the main mast an inch of thwartship vibration and only half an inch longitudinal vibration.

While making this examination, about 4:30 a. m., Captain Chittenden was thrown down and fell on the chain, hurting his side and back enough to temporarily disable him. He continued to give us valuable ad-

At 3 a. m. we made signal to the Vulcan and Merritt to go to windward, which they did as well as they could, Up to 1 o'clock a, m, we were running the starboard main engines and had steam on the two central boilers and three of the short forward boilers, but the trouble in the forward fireroom caused the steam to run low and lighten fires under the starboard after boiler and we stopped the engine so as to run the steam up for the pumps. The pump for keeping the water from the forward compartment was driven by a belt, and w) n the sea broke over the bows, the belt occame wet and slipped. As soon as the water was up to the floor space in the forward fireroom, the rolling of the ship swashed into the coal bunkers and carried the coal out, choking the pump and carrying the floor plates about, which made it difficult and dangerous to work there. "About 8 o'clock I called for volunteers

### DANGEROUS SURGERY.

DEATH FOLLOWS THE SURGEON'S KNIFE-NOT THE SURGEON'S FAULT, OF COURSE HE CAN'T HELP IT-YOU CAN.

#### Pyramid Pile Cure Cures Piles Quickly. Painlessly. Without Danger.

People go along for years suffering with piles. Then try this, and that and the other thing; from carrying a buckeye to getting treatment from a physician. They obtain temporary relief, maybe, but they are never quite cured. A little strain in litting, excessive fatigue, a little constipation or a little diarrhoen and the plies come

They don't seem to amount to much, but

They don't seem to amount to much, but they banish sleep and appetite. No position is comfortable. There is intense local pain and that dreadful feeling of weight in the perineum.

Maybe in the early stages some of the many salves on sale will afford temporary relief. If the case is of long standing there is only one speedy and sure remedy, it is Pyramid Pile Cure. Even in light cases it is the safest thing to use. Other applications may cure and may not. Pyramid Cure is always certain, always reliable, always brings comfort at once. Its prompt uses always certain, always reliable, always and their attendant dangers and discomforts. It is better than a knife. Will cure easier, quicker and safer. Thousands have used it. Thousands have been cured by it. The cost is trifling compared with what it does. The urice is 50 cents. Most anybody would gladly pay ten dollars to be rild of pill 6.

Druggists sell Pyramid Pile Cure Send

piles.

Druggists sell Pyramid Pile Cure, Send to Pyramid Drug Co., Marshall, Mich., for book on cause and cure of piles.

to holst coal and water into the ash hoist. and by liberal use of cement made water Everybody responded and the work was continued as long as it seemed of any use About 3:30 a. m. it was reported that wa ter was coming into one of the starboard forward coal bunkers and running into the fire rooms. Where the water came from. do not know. About 2 o'clock the 11-inch gun in the after turret ran out and in twice. When it recoiled the second time something gave way and it settled to ex-

treme elevation and remained stationary.
"We asked the Vulcan to signal the Leon idas to stay close to us and the latter hoisted the flag at the signal yardarm, which was a signal agreed upon to call the Leonidas to come within hall. She was steaming ahead of us and making rather bad weather. It seemed as if she feared to turn in the heavy sea, but eventually she did cross ahead of the Merrit and twice passed under the Maria's stern, although at some distance. I think she picked up the life rafts which the Vulcan threw over.

"About 11:30 we signaled the Vulcan to ask the Mirritt if we could be turned safely to run for the lee of Watlings island, To this Captain Wolcott replied 'No,' and as Captain Chittenden thought we would sink if we tried to turn, this idea was given up. Both the Vulcan and the Merrit could with difficulty keep us head to wind and the sea was running so high that, if the Vulcan's bitts started or the tow lines parted, the ship would fall into the trough of the sea. At 1 p. m. Captain Chittenden asked me to signal the Vulcan to throw off the Merritt's tow lines and have the Merritt come alongside.

I then assumed command, told the men what was to be done and assigned them stations. I told the chief engineer to start the engine to aid the Vulcan in keeping our head up. He did so, but it could run but a short time with steam we had. We signaled the Vulcan: 'We are about to abandon ship; try to keep us head to wind. I ordered Captain Lecate to take charge of the lee surf boat and when it was lowered to the rail ordered Captain Chittenden into it, against his repeated protests. He was placed in the boat with his son. This boat was unable to reach the lines we had astern, but the Merritt picked it up and, after taking Captain Chittendens aboard. towed the boat to our lee quarter and repeated this maneuver each trip, forming a ee for the boats to come here; then towing them back. She was splendidly handled From 2 until 5 the work of transferring the crew continued. "Captain Lecato made two more trips

when, his arm being disabled, his place was taken by Mr. Johnson, who also took two boatloads. The life raft was taken over and capsized, but was righted. It was put in charge of James Bashford, orlinary seaman, of the Illinois naval militia. He and his crew took six Cubans to the Merritt. The smaller surf boat towned under the lee side was then gotten out, and I put it in charge of Charles A. Dunae, quartermaster, first class, I gave him nearly all the good seamen left for a crew. It was launched very handsomely, and made two trips

"In all these trips we poured oil from the sponsons on both sides, and the Vulcan also used oil to make it smooth where the embarking was done. I doubt if we could have worked without it.

"The ship labored more and more heavily. Before I left the bridge she rolled her sponsons under, which I should estimate to be thirty degrees, and her pitching was nough to show her rudder, propellors and perhaps twelve feet of her keel. She was bout four feet by the head. She fell into the sea very heavily and shuddered as she rose. There was no water aft.' The Vulcan did her best to keep her head up, steering to starboard and going to full speed while the sea beat the Teresa's head to port. Throughout the day the Vulcan did everything possible. We were constantly

signaling. "With the exception of three men, wa got drunk and gave much trouble, all the crew behaved well. Every man did his duty, and my orders were instantly obeyed wreckers and men of the navy. When the fires were low I called for volunteers. and the donkey boilers were at once fired ing engine, and they did so, and the en-

"When I took Dunne from the helm to lower the smaller surf boat, his place was taken by William C. Morehoff, machinist. second class, who steered the wreck until we left the bridge together, when he lashed the wheel amidships. Willard Crossett, Lugler, was signal man and was as cool as possible. He made no mistakes and was

very useful to me as a messenger.
"About 4:30 he made signal, Hang on to the wreck until you are sure she is sinking,' to which the Vulcan replied, 'We will hold on until she sinks or parts the tow-The last signal he made was, 'These two boats will take all.' After that I had to go aft to force the drunken men overboard, and about 5 o'clock we were all off. The boats were hauled under the stem as near as it was safe, where the oil were held by one line, while another line, with a ladder attached, floated to the Two double bights were stopped stern. or the right side to go over a man's shoulder. The end was slacked from the ship and when two men jumped they were bauled into the boat. A very fine fellow named Olson attended to this. When all had gone but he and I, he cut the line

and we jumped together.
"It was perhaps 5:30 when we reached the Merritt. While she was getting the surf boats, the Vulcan slipped the hawser of the Infanta Maria Teresa. I expect that the wreck, dragging off to port, brought all the strain on the port bridle and started the bits. When the boats were in, the Merritt, at my request, started to speak the Vulcan, but was unable to reach her, and she apparently did not hear our whistle. The Merritt then returned to find the wreck, but could not do so. The search continued until 1 p. m. the following day, when she headed for Charleston,

Very respectfully. IRA HARRIS. "Lieutenant Commander U. S. N." Commenting on that feature of the report tating that some of the men got drunk naval officers expressed the opinion that these men were not seamen of the navy but were sailors from the wrecking crew. but were sailors from the wrecking crew. It is said at the many department that provision was made by which the Teresa could have weathered any ordinary storm. A rough wooden deck had been mailed over her upper works. Her hull was then sheathed and heavy chains were wound around her, so as to hold her together. Although far from seaworthy, all that was expected was that the cruiser might be kept affoat until docked in this country. She had been stripped of all guns and valuables save the big turret, eleven-inch guns, before starting, so that it is believed there will be no loss on that account. It is the opinion of the navy department that the government has lost, besides the value of the ship herself, only the amount of the per dlem of \$80 per day through the sinking of the vessel, because the contract appears to have required the delivery by the wrecking company of the vessel at the navy yard at Norfolk Va.

The Maria Teresa was sunk on the 3rd of July, and three days later the contract was signed under which she was raised. The work was attended by greater difficulties than had been anticipated. Divers sent below reported that the hull below the water line was comparatively uninjured, so it was supposed that nothing more than the ordinary process of pumping out after stopping ports and submerged hatches would It is said at the navy department that

As she lifted, the water rushed in and she sank again.

A troublesome engineering problem was presented at this stage of the work, for, as she lay, the Teresa could not be pulled into shallower water or floated, being heid firmly fixed by the driven rock. Finally, after vast difficulty on account of the necessity of laboring under water, in mud and slime and darkness, a cofferdam was constructed around the rock, the portions which heid the ship were blasted away and she was released and floated to Caimenera.

At this point work was undertaken to put her in shape for the homeward voyage and upon the character of this work depends the solution of the question as to whether she was properly fitted. Not many details are known here as to this. She was patched

tight.
All of her decks were burnt away, leav-

the accumulated sea filth. This occupied a good deal of time, so that, while the vessel was raised on September 22 and the work was prosecuted with vigor, it was not until October 30 that she was able to start away from Caimenera under her own steam, bound for Norfolk. She was accompanied on the start by the repair ship Vulcan, the collier Leonidas and the cruiser Cincinnati, but the latter left the other ships at Cape Maysi. The pany department was gratified on the start by the repair simp variant, the collier Leonidas and the cruiser Cincinnati, but the latter left the other ships at Cape Maysi. The navy department was gratified to hear, in a cablegram at this time, that the Teresa was able to go under her own steam at the rate of six knots an hour, as it had been doubted whether the engines were not too badly injured by their submergence in salt water for so many monhs.

The first thing in order now is a court of inquiry; in fact, the department has no option in the case of the loss of a vessel under such conditions. This court is required to fix the responsibility for loss; to examine into the considerations which led Commander Harris to choose the easterly course. It must determine also as near as it can whether the work of preparing the ship for the homeward voyage was properly executed. Upon their conclusion will depend whether or not a court-martial shall be held. Commander Harris is the only officer whom the department knows to have been attached to the Teresa, although he was doubtless supported by some warrant officers, whose names were not reported to the department before the ship suiled. He was in command of the Vulcan throughout the war, and bears an enviable reputation for ability in his profession.

During the progress of raising the ship, a great deal of valuable material was recovered by the wreckers. Just what this amounts to is not positively known, but it included expensive guns, torpedoes and much material of value. The opinion is expressed that, with the material raised from the Teresa and from the other ships which have been opertaed upon so far, the navy department will be able to reimburse itself fully for the outlay of \$800 per diem to the contractors.

fully for the outlay of \$800 per diem to the contractors.

The loss of the ship will be a bitter disappointment to the people in Norfolk where extensive arrangements have been made to bring excursions from all points to the navy yard there to look at the famous ship and where the reconstruction of the vessel would afford at least a year and a half swork to a large body of mechanics and laborers. The Norfolk people had assured themselves that this work would be assigned to their yard, and only to-day preparations were begun for the reception of the vessel, which was expected to arrive there about Monday morning.

As already stated, the navy department was discouraged by the ill success of this most promising venture and the first declaration was against a continuance of the attempt to raise any of the other vessel. However, the first feeling of discouragement gave place in a short time to a determination to save at least one of Cervera's squadron as a magnificent trophy of the glorious engagement of July 2. Acting scretary Allen had already under consideration the report of the board of bureau chiefs which looked to curtailing the wrecking operations of Santiago and to the continuance of the work on the Colon, only on condition that the contractors required payment only in the event of the success of their undertaking.

It may be that the loss reported to-day will strengthen the hands of Constructor Hobson, who is urgently pleading with the epartment to allot money to enable him to conduct operations in wrecking the vessels on his own account, or it may induce the department to offer more liberal terms to the contractors, but, however that may be, the present disposition of the department is, as already stated, to raise the Colon, to bring her to the United States, to place her under the American flag and to attach her to the United States navy. ontractors.

The loss of the ship will be a bitter dis-

#### GOOD HORSES WELL SOLD. Sunburst Sells for \$225 and Williams' Polo Pony Tripod Brings

8300. ST. LOUIS, Nov. 5 .- (Special.) The clos ng night at the Horse show was the scene of many sales of horses at good prices. The Horse Show Monthly Publishing Company o-night sold to H. Clay Pearce, of this city, for \$225, the green hunter, Sunhurst, hat was bought out of a carload of mules at he Kansas City stock yards less than dinety days ago, for less than \$100, and has since won more than double his original four feet six inches. Another notable sale was that of the polo pony Tripod, that has made a wonderful showing and won over \$200 in purses. In this little piece of horse flesh there is a bit of history that is interesting. Less than eighty days ago he was bought by A. E. Ashbrook for R. H. Williams for the paltry sum of \$00, after which he was developed for the partry sum of \$00, after which he was developed to the sum of \$00. try sum of 800, after which he was developed from a green, country-looking, hardly bridlewise pony to one that won three first and one second prize at the Kansas City horse show, and one first and one second here, after which Mr. Bert Walker, of the St. Louis County Club, paid 200 for him

walker, of the St. Louis County Club, paid \$100 for him.

R. C. Benson will ship Charley G., direct to the New York horse show, where he is entered, after which he will be sold at auction in the horse show sale. His winnings here and at Kansas City amount to over \$800. Sybil only lacked a few dollars of winning that amount, while John Donovan's Wert has won over \$1,200 at the two shows. Mr. Will T. Harstick, of St. Louis, bought of Crow & Murray, of Toronto, Ont., the tandem team, Duke and Dutchess, winners in their class, for \$1,90.

This show has been a great success and well patronized. The Kansas City people who have attended the show and occupied the Kansas City box were Mr. and Mrs. Churchill G. Bridgeford. Mr. and Mrs. A. E. Ashbrook, Mr. and Mrs. H. C. Merrill, Miss Maud Hillaker, Messrs, Robert F. Lakenan, R. H. Williams, Eric E. Matchett, Jerry Lillis, Charles G. Frederiskson and George Ford Morris.

### NEW OKLAHOMA RATES.

Freight Rates Applying From St Louis to This Territory Are Reduced.

Effective November 10, the new rates to Oklahoma City apply from St. Louis, Chi cago and Kansas City. The differential which Kansas City has enjoyed on this business is reduced. The first class rate from Kansas City to Oklahoma City will be \$5c and the same rate from St. Louis will be \$1.50. The first class rate from St. Louis will

not be affected, but the other classes will be reduced and where they are reduced the corresponding classes from Kan will be advanced. This places St. better condition to compete with Kansas lity on this traffic and it looks as if Kansas City was "up against it.

## WILL GO TO ATCHISON.

Recent Order of the Missouri Pacific Will Cause an Exodus From the

Mouth of the Knw. recent order issued by the Missour Pacific Railroad Company making Atchison Pacific Railroad Company making Atchison the division headquarters of the read hetween Omaha and Kanaus City has cansed the various train crews in Kanaus City. Kas., and Kanaus City. Mo., to begin making preparations for the removal of their families to Atchison. The majority of the men will retain their citizenship in the two Kansas Citys until after election, when there will be a general exodus of engineers, firemen, conductors and brakemen to the new headquarters. By virtue of this order nearly 100 men and their families will be compelled to abandon the cities at the mouth of the Kaw, where they have long made their homes.

### JURISDICTION EXTENDED.

Blue Valley District of Union Pacific Is Added to the Kansas Division.

Another part of the Union Pacific system has been out under the management of the Cnion Pacific officers in this city. The Blue Valley district of the Omaha & Republicar Valley branch has been put in the Kansas division, under J. O. Brinkerhoff, superintendent; H. G. Kaill, general agent of the freight department, and J. B. Frawley general agent of the passenger department, This district was formerly under the Newscast division.

DETROIT'S UNFINISHED WONDER-LAND COLLAPSES.

FIFTEEN OR MORE LIVES LOST

THIRTY-FIVE MEN WERE AT WORK WHEN BUILDING FELL.

Many of Them Crashed Beneath Falling Girders and Debris-Long List of Injured-Unuse of the Disaster Not Yet Established.

DETROIT, MICH., Nov. 5 .- The new fivestory Wonderland theater building is to-night in a hopeless looking state of collapse, and fifteen or more lives have been sacrificed by an appalling accident which occurred there this afternoon. Shortly before 2 o'clock, while some thirty-five men were at work in various parts of the half-finished theater portion of the structure the roof fell in without a second's warn ing. Nearly every workman was carried down into the theater pit, the top gallery was crushed down upon the lower gallery. forming a sort of fatal hillslide, down which slid broken steel girders, planks, timbers, brick and a great quantity of cement from the roof and carrying along a struggling company of men into the pit be low, very few of whom escaped injury. The front wall of the building remained practically intact but the east side wall bulged and buckled threateningly. Notwithstanding the latter danger, the work of rescuing the injured and taking out the dead was rushed and good progress made until 5:15, when the upper portion of the east wall fell, a shower of bricks striking around the crowd of laborers, officers and newspaper men, extinguishing the tempor-ary electric lights and causing a stampede for the street. Furturately, none of thos

who were struck by the second downfall was seriously injured, although several were precipitated into the basement through the steel joists over which only a few loose planks were inid.

Mayor Maybury and other city officials who were on the scene, thereupon decided not to further, imperil life in order to save dead bodies, and work was suspended until to-morrow. When the second crash occurred, two more bodies were visible in the debris, but they were abandoned for the present. The dead are:

August Sallach laborer.
George W. White, tinner.
Theodore Mertens, laborer.
Martin Shafer, painter.
Cornelius McArron, lather.
James Gegerschke, laborer.

James Gegerschke, laborer,
August Januschowski, laborer,
John Creselski, laborer,
Two other bodies had been discovered in
he debis at the time of the second crash.
The mission was

The missing are:
Peter Connors, lather; Jacob Lewer metal polisher; Frank Wolfe and Betts, metal cornice makers, and O. Mullin.

at polisher; Frank Wolfe and Betts, metal cornice makers, and O. Mullin. The injured are: Charles Cross, arm badly cut and bruised internally. Oscar. Robinson, severely bruised about the lungs and internally injured. Joseph McBride, ankle terribly crushed, two scalp wounds and bruised. John Duchinsky, ribs broken. Jacob Pollke, nose partly severed and bad scalp wounds. At Harport hospital—Joseph Ferguson, seriously injured about head and face. Edward Fisher, leg broken and badly hurt internally; may not recover. William Grossfield, scalp wound and arm injured. William Grossfield, scalp wound and arm injured. William Grossfield, scalp wound and arm injured. Paul Skozkowski, spine injured and body bruised. J. W. Wilson, eyelfds torn, two ribs broken, badly shocked; may die: Louis Schmidt, foot crushed; badly bruised, will recover. Others who were less scriously injured are B. Shipkowski, W. H. Streeter. Fred Schreiber, Peter Pfeifier, Louis Schmidt, Oscar Mier and — Grossfield.

Of those injured only two are considered of those injured only two are considered as unlikely to recover.

The cause of the catastrophe has not yet been definitely settled. It seems to rest, however, between too much weight in the roof and faulty steel beams used in its construction. The top of the roof was of cement about eight inches thick, and many builders lean to the opinion that this was too weighty for the supporting steel work. builders team to the opinion that this was too weighty for the supporting steel work. Others claim that the fault lies in the steel work, which they allege was of poor qual-ity. Several of the beams snapped off sharp instead of bending. The workers in the building say that

sharp instead of bending.

The workers in the building say that there was no warning given of the collapse, the first thing heard being a crash as the roof fell.

Most of the debris in front of the stage, and, looking from there, was a perfect hill of bent and twisted iron beams, split planks and huge chunks of cement. The lower baleony held firm, which doubtless saved the lives of a number of the workmen who were under it.

The instant the crash occurred the firebells were toiled and the firemen rescued a number of those who had fallen in top of the werekage. The board of public works soon had all their available employes at work. As fast as a mangled workman was extricated he was tenderly carried to one of the waiting hospital ambulances, and the usual sad scenes were witnessed at the morgue and hospitals, it is impossible that any living person is still in the debris.

The walls, steelwork and roof were the only completed portions of Wonder and, which was without floors or interior sh.

The property is owned by Patrick wiggins natteer of James H. Moore in its which was without floors or interior st.

The property is owned by Patrick wiggins, partner of James H. Moore, in his combined theater and museum enterprises. The property loss is yet unestimated. The architect, John-Scott, and Alexander Chapaton, the contractor, aver that the accident is as yet unaccountable.

The police have secured a number of the broken girders, to be used as evidence later.

### P. & G. TRAIN WRECKED.

One Man Killed and Two Injured in a Collision Between Omaha and Council Bluffs.

OMAHA, NEB., Nov. 5.-The east bound Omaha and St. Louis train, which leaves Omaha at 9:30 p. m., collided this evening with a Union Pacific freight train at what is known as "The Junction," about a quarter of a miles east of the Union Pacific transfer on the lows side. One man was killed and two seriously injured. The dead man is:
William Hower, Union Pacific fireman,
who lived at 123 North Twelfth street.

Seriously injured: Morris Peterser: Seriousiy injured:
Morris Peterson, 1816 South Seventh
treet, Council Bluffs; may die,
Lewis Jacobson, South Eleventh street, ouncil Bluffs; may die, Bert Hotchkiss and Bob Heath, Wells, Fargo & Co. express messengers, escaped injury by what seems almost a mirade. The car in which they were riding is a mass of splinters and twisted from and they came out without a scratch. No passengers were hurt.

### Ready for the Paymaster.

Ready for the Paymaster.

The Third and Fifth are now ready for the paymaster. All the papers are made out. The Third will be paid off Monday and the Fifth Wednesday. To-day Chaplain Kerlin will deliver a farewell religious address to the boys of the Third in the First Congregational church. Eleventh and McGee streets, at 3.29 o'clock. The regimental band will furnish music. Chaplain Coleman will preach his farewell sermon to the Fifth this afternoon in the Priests of Pallas den. Colonel Moore will also speak.

The Fifth will march to the Builders and Traders' exchange building, Wednesday morning to be paid off. The first company will report at 8 a. m. and the remaining companies at Intervals of forty-five minutes. It will take over \$600,000 to pay off the two regiments.

The basement of Convention hall will be the two regiments.
The basement of Convention hall will be

fitted up as an armory for the Third, when it is merged into a state organization, Just now the boys are given a furlough from the Missouri national guard, and they are, many of them, loath to remain in the service, after "Big Jim" has seen them and they are finally discharged by the government. They say they have had quite enough of soldiering. Officers of Art Club.

At the meeting of the Art Club in the board of education rooms yesterday afternoon, the following officers were chosen; President, Lizzie Buchanun, of the Woodland school: vice president, Emma Webster, of the Hamilton school; seerelary and treasurer, Alice Roberts, of the Lathrop school. A programme committee was chosen to arrange the work for the coming year of which Professor William Weber, of the Central high school, was made chairman. The special work for the club at its next weekly meeting will be exercises for the training of the eye in taking measurements.

## KANSAS SUPREME COURT.

Number of Important Decisions Handed Down Yesterday-List of Onintons.

TOPEKA, Nov. 5 .- (Special.) When the Wyandotte & Northwestern railway was bulit, its proomters promised Lewis Menager, of Wyandotte county, that if he would donate a right of way through his would donate a right of way through his farm they would put a depot and telegraph office on his farm and name the station Menager. He granted the right of way. The station was named Menager all right, but no depot was ever built, now was a telegraph office established there. He brought suit against the company for violation of its contract and got judgment for \$2.89. An appeal was taken by the read and the supreme court to-day affirmed the decision of the lower court.

In the case of the Missouri Pacific vs. I. A. Fruitt an appeal from the court of appeals, it was held that an engineer was not required to stop his train and investigate an object on the track ahead if in his opinion no danger is liable to result to the passengers. Pruitt's little child was on the track and the engineer could not discern that it was a child. He thought it was some other living object and that it would get off the track before he reached it. The child was killed. Pruitt got judgment for \$550. The supreme court reversed the case.

child was killed. Profit got judgment for \$50. The supreme court reversed the case. The case of the Rock Island against Hester Williams, an appeal from Doniphan county, was also reversed. John Williams was killed by a train at a crossing where a hedge fence ran right up to the tracks. Hester Williams, the administratrix brought suit against the road for damages, and secured judgment. The supreme court to-day reversed the decision of the lower court, on the ground that it was shown that Williams did not show due diligence when he attempted to make the crossing. Justice Johnston held that a person must make vigilant use of his senses to detect danger, and that it was not shown that this was done in this case.

Opinions of the court handed down follow:

By Chief Justice Doster—Hinsdale Say-

Opmons of the contraction of the

Railroad Company vs. I. A. Pruitt. error from court of appeals, reversed; state vs. Lewis Tofte, appeal from Atchison county, affirmed.

By Justice Johnston—J. S. Brittain Dry Goods Company vs. C. A. Yearout, receiver, et al, error from Greenwood county, affirmed:

Russell B. Armstrong, administrator, etc., error from Wyandotte county, affirmed; F. M. Davis vs. city of Holton, error from Jackson county, reversed; D. M. Tipton vs. Earbara McCalla et al, dismissed; Bank of Topeka et al vs. John G. Miller et al, error from court of appeals, reversed; state of Kansas vs. Pete Allen, appeal from Cowley county, reversed and prisoner discharged; state of Kansas, ex rel, vs. William Addis, mayor, et al, original proceeding in mandamus, writ denied; A. L. Choate vs. Albert H. Boyd, error from Pawnee county, reversed; Kansas City, Wyandotte & Northwestern Railroad Company vs. Lewis A. Menager, error from Wyandotte & Northwestern Railroad Company vs. Lewis A. Menager, error from Wyandotte county, modified and affirmed; Chicage, Rock Island & Pacific Railroad Company vs. Hester A. Williams, administratrix, error from Doniphan county, reversed and a new trial ordered; Chicago, Rock Island & Pacific Railroad Company vs. John D. Parks, error from Smith county, affirmed; Atchison, Topeka & Santa Fe Railway Company vs. Alonzo B. Cunningham, error from Cowley county, affirmed.

Per curlam—Farmers and Drovers' bank vs. Babcock Hardware Company vs. Martha Walker, error from Republic county, affirmed; J. D. Bowersock vs. T. M. Adams, sheriff, etc., error from Sunner, county, affirmed; Citherine C. Heyl vs. William Donifelser, error from Republic county, affirmed; Elliott et al vs. R. B. Green, error from Reno county affirmed; C. G. Larned Mercantile Company vs. F. R. Lusk et al, error from court of appeals, affirmed.

## FOR THE BONNIE SCOTS.

Mr. Durward Lely Sang Himself Into Favor Last Evening With Burns Ballads.

Sidney Smith once said that it would take a surgical operation to make a Scotchman see a foke. The witty divine could hardly have taken into consideration the Scotch-American; for those—and there were a good many of them, too—who were at the Ly-ceum last evening appeared to have a most thorough appreciation of the happy lits at his own countrymen that Mr. Durward Lely made in the introduction of his Scotch bal-lads. It was those exquisite hallads so delads. It was those exquisite ballads so de-lightfully given, though, that won his au-dience, and that made them loath to let him off even after he had sung besides his

him oft even after he had sung besides his regular programme several songs by request. The gentlemen, who interrupted Mr. Lely when he was announcing "I will give next and last," after "next" with "Comin' Through the Ryc," expressed the wish of the audience to keep the "last" as far away as possible.

In the first part of the programme Mr. Lely related the story of Burns' life by singing those ballads in which the bard had so charmingly told the events of his career. In the second part he gave some of the most popular Scotch ballads, Mr. Lely has a voice peculiarly fitted for ballad singing and his pronunciation of the language is pleasing; he is sincere, and, while he makes an effort to entertain, he is so thoroughly natural about it that he sucughly natural about it that he

### THE WORLD OF ART.

The Paint Club exhibition this year promises to be cminently successful. All the local artists have been at work for some time in preparation for the event and they will show some very good pictures. Entry blanks have been received from Francis P. Paulus, of Detroit; Henrietta Bromwell, of Denver, A. H. Clark, of Lawrence, Kas.; E. S. Butler, Jr., of Cincinnati; Miss Flora Leland, of Eldorado, Kas.; Mr. John Ankeney and Lois Brown, of Carthage, Mo.; Miss Eleanor Havens and Miss Farell, of Leavworth, Mrs. J. H. Sharp, of Cincinnati, and Mr. Duveneck, of New York.

Every other week at 4:30 o'clock lectures are given Every other week at 4.30 o clock feetures are given at the Huppert art school on subjects connected with the work of the students. Dr. I. J. Woolf is giving a course of anatomy lectures. He will be followed by Mr. G. H. Parks, of the firm of Van Brinnt & Howe, who will talk on "Perspective." Mr. D. C. Allen will tell what books the art student should read, and Mr. Roger Cunningham will lecture on "The Reproduction of Pictures."

A Monday evening concert will be given at the art school in a week or so. The numbers will be fur-nished by Madame Tulke, teacher of planoferte. Miss May Browning, teacher of elecution; Miss Theodora Morgan, teacher of violin, and Miss Mila Schmidt, teacher of voice culture, all from the Liberty Female college at Liberty, Mo.

The National Art Club, of New York city, has filed

The National Art Club, of New York city, has filed articles of incorporation with the secretary of state. The club proposes to promote the mutual acquaintance of art lovers and workers in the United States, and to maintain a clubhouse in New York city.

Its directors are Henry Walters and Daniel C. Gilman, of Baltimore, Md.; James W. Ellsworth and B. Hall McCormick, of Chicago; Allan Marquand, of Princeton, N. J.; Perry Belmont, J. Carroll Beckwith, Walter Cook, Robert W. DeForest, Charles DeKar, I. Wyman Drummond, William T. Evans, Henry E. Howland, Brayton Ives, John LaFarge, Charles Rollinson Lamb, Howard Mansheld, George B. Post, Samuel T. Shaw, Louis C. Tiffany, Spencer Trask, John Q. A. Ward and Thomas W. Wood, of New York city, and George E. Leighton, of St. Louis, Mo.

The first social resiston session of the H. A. G. T. G. of the Kansas City School of Fine Arts, book place. Priday evening in the studio room: Informality characterized the evening a entertainment. An interesting and varied programmo was given. Mr. J. Franklin Chreny, of the Central Lycenin bureau, gave a chalk talk, Mr. F. G. Varey restled several poems in the French Canadam dilatect, and Mrs. Polly, Miss Alice Bainthy and Miss Franck furnished yoral and instrumental music. Guests were: Mr. and Mrs. Polly, Mrs. Boyce, Mrs. Traber and Mrs. Feitzhans; Misses Ada Wilson, Augusta William Calar, Lang, Bersle Paddock, Francene Lamar, Irene Traber, Frederika Petishans, Belle Goold, Marcia Durrah, Alda Wilson, Hessie Reid, Julia Taylor; Mesors, William Lake, H. W. Porter, F. M. Reeder, Maximilian Tulke, Davis, E. A. Huppert and Br. I. J. Welf.

Palguiere is at the present moment the most popular and the busiest of Prench wentptors. Recently he has completed in quick succession statues of Pasteur, Cardinal Lavigeris, Dr. Charcot and Dr. Larrey, the famous surgeon of the first Napoleon. Now the citizens of Nimes are requesting him to undertake the statue of Alphonse Daudet for them, but as he is still engaged upon the figure of Balvac, which was taken off the hands of Redin under such peculiar circumstanues, he had to ask the Nimes people for a little mure patience.

### Needs a Book on Etiquette.

It might be well to put up some placards n the public library pertaining to one's schavior. An applicant yesterday applied or a renewal of her ticket and was told by one of the assisting young ladies that it had been renewed once and could not be again. She was somewhat startled to hear in place of a reply: "Oh, she's noth-ing but an upstart; we'll ask the librarian about it."

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